

UNITED STATES DISTRICT COURT

for the

Southern

District of Manhattan, NY

Division

Case No.

(to be filled in by the Clerk's Office)

Clyde Ernest Harper

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

State of Nebraska
and
State of Iowa

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)



COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

See attached letter
Exhibit A**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Clyde E. Harper #62555
 All other names by which OCC J2C10-L
 you have been known: P.O. Box 11099
 ID Number Omaha, NE 68111-0099
 Current Institution OCC
 Address Omaha NE 68111
City State Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint; whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name State of Nebraska
 Job or Title (*if known*) Court Douglas County
 Shield Number
 Employer
 Address Omaha NE 68111
City State Zip Code

Individual capacity Official capacity

Defendant No. 2

Name State of Iowa
 Job or Title (*if known*)
 Shield Number
 Employer
 Address Des Moines Iowa 50309
City State Zip Code

Individual capacity Official capacity

See attached letter
EXHIBIT A

Defendant No. 3

Name _____
 Job or Title (*if known*) _____
 Shield Number _____
 Employer _____
 Address _____

City	State	Zip Code
<input type="checkbox"/> Individual capacity		<input type="checkbox"/> Official capacity

Defendant No. 4

Name _____
 Job or Title (*if known*) _____
 Shield Number _____
 Employer _____
 Address _____

City	State	Zip Code
<input type="checkbox"/> Individual capacity		<input type="checkbox"/> Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (*check all that apply*):

Federal officials (a *Bivens* claim)

State or local officials (a § 1983 claim) *NE + Iwa*

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

See attached letter
EXHIBIT A

D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (*check all that apply*):

- Pretrial detainee
- Civilly committed detainee
- Immigration detainee
- Convicted and sentenced state prisoner
- Convicted and sentenced federal prisoner
- Other (*explain*)

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

1999 V.A. Federal hospital
Towt

See attached letter
Exhibit A

C. What date and approximate time did the events giving rise to your claim(s) occur?

1999

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

See attached letter
Exhibit A

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

Stroke
lost of hearing right ear
and
Balance

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

Liberty and monetary
payment for false
imprisonment...
1999 - 2024

*see attached letter
exhibit A***VII. Exhaustion of Administrative Remedies Administrative Procedures**

The Prison Litigation Reform Act (“PLRA”), 42 U.S.C. § 1997e(a), requires that “[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted.”

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes

*BEFORE**see attached letter*

No

exhibit A

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

ongoing (now)

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

Yes

Not applied

No

Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

Yes

Not Applicable

No

Do not know

If yes, which claim(s)?

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

Yes

No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes

No

E. If you did file a grievance:

1. Where did you file the grievance?

2. What did you claim in your grievance?

3. What was the result, if any?

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. *(Describe all efforts to appeal to the highest level of the grievance process.)*

*See attached letter
exhibit A*

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

NYA

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

EVERY BODY!!!

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

*see medical record
etc.*

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

I Did so!!!

The “three strikes rule” bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has “on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this “three strikes rule”?

Yes

frivolous *see attached letter from court,*

No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

Douglas Co. Judge Coffey

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes

No

NE court did not respond

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court (if federal court, name the district; if state court, name the county and State)

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

1999 - 2 029

6. Is the case still pending?

Yes

No

NA

If no, give the approximate date of disposition.

3 DNA Test request

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

NE does not respect civil or
Constitutional Rights

C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

~~See attached letter~~
exhibit A

Yes
 No

Now (You N.Y.)

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s)

clyde E. Harper

Defendant(s)

NE and Iowa

2. Court (if federal court, name the district; if state court, name the county and State)

Manhattan, N.Y.

3. Docket or index number

Now ?

4. Name of Judge assigned to your case

NA

5. Approximate date of filing lawsuit

Now

6. Is the case still pending?

Yes
 No

?

If no, give the approximate date of disposition

Now

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

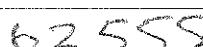
I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 2-20-24

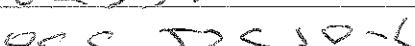
Signature of Plaintiff



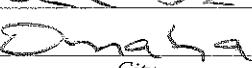
Printed Name of Plaintiff



Prison Identification #



Prison Address



City

NE

68111-0077
Zip Code

B. For Attorneys

Date of signing: _____

Signature of Attorney



Printed Name of Attorney



Bar Number



Name of Law Firm



Address



City

State

Zip Code

Telephone Number



E-mail Address



EXHIBIT A

CEH Feb. 20, 2024

US Federal Courthouse
40 Foley Square #104
New York, NY

10007

Clyde Ernest Harper Sr #62555
587-60-4662
OCC J2C10-L
P.O. Box 11099
Omaha, NE 68111-0099

REF: MY CIVIL/CONSTITUTIONAL RIGHTS
ARE BEING VIOLATED BY NEBRASKA
AND THE STATE OF IOWA

Dear Sir/Madam

I don't know how to tell you
what is being done to me.

-BUT-

IT all started in Okinawa, Japan.
When I found out a group of
Air Force pilots, Marines, and
some US Army guys were sending
tons of drugs back state-side.

It was "China White"...heroin.
[INSIDE CASKETS OF DEAD SOLDIERS]

I knew I had to stop it. I knew, I saw how it killed my friend Skaggs, that hillbilly white boy from the Ozark Mountains.

Any way I went to my Col. at the dental clinic where I did X-rays, and I asked him if I could bust them.

They called themselves the "Red Shirt Cartel" I didn't have any idea what a "Billion Dollar Drug Ring" was, at that time. (1970's)

But I got some Okinawas, Japan pol'cemen out of Fatigue Okinawa to help me.

They never gave me my medal for doing right for America.

And somehow "Denzel Washington" and Hollywood made a movie, But they said it was Russians.
[AND I GOT PAID NOTHING]

I was sent to 207 MP Co in Fort Riley Kansas

Then back to Omaha, NE. They wanted me to work in Drug stuff. But I went to University NE.

A NE Highway Patrolman came to my class and asked me to get local drugs for him. He said it was a job. So I did it. And he busted me for my efforts.
[OFFICER WAGNER]

- ANY WAY -

later I found out those Drug rich guys I busted in Okinawa had got NE to get back at me.

- BUT -

I taught myself computers, And

My Son Clyde Harper Jr. (i1 Clyde) got good enough to lock-up every computer at (Central) High School to make his own Supercomputer.

And LaSon (my oldest daughter) got a computer job doing bank envoices.

-ALSO-

The Pentagon was watching me and my kids.

So two Marine officers came and ask me to get (i1 Clyde) to do computers for them when he finished High School.

- He did -

(i1) Clyde did as I asked, Now he has done 20ys at the Pentagon.

- DID You k Now -

my GREAT-Great Grand Father was a Buffalo Soldier, See "Harper Family" (I. Many of Congress. I'm in the book.

And Browne my sister's
husband was Secret Service.

- NOW -

The ~~State~~ state of NE + Iowa
has held me in prison from
1999 to 2024. And all the judge
said was "You're a smart Nigger"
then he told the body to "strike
that from the record".

"ALSO -

NE v. Clyde Harper
DOS 155. NO. 522

Rape kit test says "NO MALE
DNA" and "VIRGIN"

- BUT -

On the the way to court
in 2005 the transport officer
took my copy of the Rape kit
test. And the court Clerk
will not let my get a copy
of my own records.

I Did a F.O.I.A. request & tried to pay court clerk 72⁰⁰, but they sent back my M.O. to OCK

For my court records

I should be rich from being falsely arrested and put in prison. But they "freeze" my money for Gate Pay (which is only \$100⁰⁰)
[But they freeze much more]

-50-

They violate my Civil Rights and Constitutional Rights

-BUT-

You being a "Federal Court"
Not in NE or Iowa. They will be afraid to refuse to FAX you a copy of tape kit test in New Haven

155-522

which says NO male DNA and VIRGIN.

[Test say innocent/prosecutor lie in court]
Respectfully submitted

Submitted in
Jesus's Name

by:

John Z. Harper
62555

Thank you



587-60-4662 RA

STATE OF NEBRASKA
 DEPARTMENT OF CORRECTIONAL SERVICES
 ACCOUNTING
 ANNUAL SAVINGS ACCOUNT STATEMENT
 RELEASE SAVINGS
 FOR 2023

PAGE 1

62555 HARPER/CLYDE E	BEGINNING BALANCE	568.64		
TRANSACTION				
DATE	DESCRIPTION	DEBIT	CREDIT	BALANCE
01-14-2023	INT FOR 12/22. ANN. % RATE = 2.1743000	0.00	1.01	569.65
01-19-2023	05% RELEASE SAVINGS	0.00	1.33	570.98
02-14-2023	INT FOR 01/23. ANN. % RATE = 2.2579000	0.00	1.09	572.07
02-16-2023	05% RELEASE SAVINGS	0.00	1.39	573.46
03-14-2023	INT FOR 02/23. ANN. % RATE = 2.2931100	0.00	1.11	574.57
03-16-2023	05% RELEASE SAVINGS	0.00	1.26	575.83
04-14-2023	INT FOR 03/23. ANN. % RATE = 2.4835200	0.00	1.09	576.92
04-18-2023	05% RELEASE SAVINGS	0.00	1.45	578.37
05-12-2023	INT FOR 04/23. ANN. % RATE = 2.3651100	0.00	1.15	579.52
05-16-2023	05% RELEASE SAVINGS	0.00	1.26	580.78
06-14-2023	INT FOR 05/23. ANN. % RATE = 2.3836200	0.00	1.13	581.91
06-16-2023	05% RELEASE SAVINGS	0.00	1.45	583.36
07-15-2023	INT FOR 06/23. ANN. % RATE = 2.4948600	0.00	1.23	584.59
07-19-2023	05% RELEASE SAVINGS	0.00	1.39	585.98
08-12-2023	INT FOR 07/23. ANN. % RATE = 2.5384800	0.00	1.21	587.19
08-16-2023	05% RELEASE SAVINGS	0.00	1.32	588.51
09-15-2023	INT FOR 08/23. ANN. % RATE = 2.4685300	0.00	1.23	589.74
09-19-2023	05% RELEASE SAVINGS	0.00	1.45	591.19
10-16-2023	INT FOR 09/23. ANN. % RATE = 2.6495900	0.00	1.32	592.51
10-18-2023	05% RELEASE SAVINGS	0.00	1.39	593.90
11-15-2023	INT FOR 10/23. ANN. % RATE = 2.7418200	0.00	1.33	595.23
11-17-2023	05% RELEASE SAVINGS	0.00	1.39	596.62
12-14-2023	INT FOR 11/23. ANN. % RATE = 2.7803400	0.00	1.40	598.02
12-18-2023	05% RELEASE SAVINGS	0.00	1.39	599.41

CALENDAR YEAR TO DATE INTEREST = 14.30

CONTACT INMATE ACCOUNTING VIA AN INTERVIEW REQUEST IF YOUR SOCIAL SECURITY NUMBER IS INCORRECT. YOUR SSN IS 587 60 4662.

STATE OF NEBRASKA
 DEPARTMENT OF CORRECTIONAL SERVICES
 ACCOUNTING
 ANNUAL SAVINGS ACCOUNT STATEMENT
 RELEASE SAVINGS
 FOR 2022

PAGE 1

62555 HARPER/CLYDE E	BEGINNING BALANCE	543.79
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TRANSACTION DATE	DESCRIPTION	DEBIT	CREDIT	BALANCE
01-14-2022	INT FOR 12/21. ANN. % RATE = 1.3718500	0.00	0.61	544.40
01-19-2022	05% RELEASE SAVINGS	0.00	1.39	545.79
02-12-2022	INT FOR 01/22. ANN. % RATE = 2.0282900	0.00	0.94	546.73
02-16-2022	05% RELEASE SAVINGS	0.00	1.27	548.00
03-12-2022	INT FOR 02/22. ANN. % RATE = 1.3146100	0.00	0.61	548.61
03-16-2022	05% RELEASE SAVINGS	0.00	1.21	549.82
04-14-2022	INT FOR 03/22. ANN. % RATE = 1.7370200	0.00	0.73	550.55
04-18-2022	05% RELEASE SAVINGS	0.00	1.39	551.94
05-13-2022	INT FOR 04/22. ANN. % RATE = 1.3370900	0.00	0.62	552.56
05-17-2022	05% RELEASE SAVINGS	0.00	1.27	553.83
06-14-2022	INT FOR 05/22. ANN. % RATE = 1.3341900	0.00	0.60	554.43
06-16-2022	05% RELEASE SAVINGS	0.00	1.33	555.76
07-15-2022	INT FOR 06/22. ANN. % RATE = 1.4329000	0.00	0.67	556.43
07-19-2022	05% RELEASE SAVINGS	0.00	1.33	557.76
08-12-2022	INT FOR 07/22. ANN. % RATE = 1.6674700	0.00	0.76	558.52
08-16-2022	05% RELEASE SAVINGS	0.00	1.27	559.79
09-15-2022	INT FOR 08/22. ANN. % RATE = 1.6270700	0.00	0.77	560.56
09-19-2022	05% RELEASE SAVINGS	0.00	1.39	561.95
10-17-2022	INT FOR 09/22. ANN. % RATE = 1.7949000	0.00	0.85	562.80
10-19-2022	05% RELEASE SAVINGS	0.00	1.39	564.19
11-15-2022	INT FOR 10/22. ANN. % RATE = 1.9241100	0.00	0.89	565.08
11-17-2022	05% RELEASE SAVINGS	0.00	1.27	566.35
12-14-2022	INT FOR 11/22. ANN. % RATE = 2.0010000	0.00	0.96	567.31
12-16-2022	05% RELEASE SAVINGS	0.00	1.33	568.64

CALENDAR YEAR TO DATE INTEREST = 9.01

CONTACT INMATE ACCOUNTING VIA AN INTERVIEW REQUEST IF YOUR SOCIAL SECURITY NUMBER IS INCORRECT. YOUR SSN IS 587 60 4662.

They freeze my
money for \$100.00
GATE PAY

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

THE STATE OF NEBRASKA,) CR 10 - 9044789
) DOC. 155 NO. 522
 Plaintiff,)
) O R D E R
 vs.)
)
 CLYDE E. HARPER,)
)
 Defendant.)

On the 26th day of September, 2022 the Defendant filed an affidavit and application to proceed in forma pauperis, motion for appointment of counsel and motion for DNA testing.

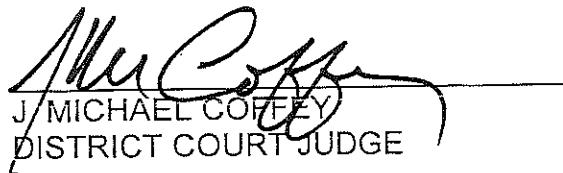
The Court finds that the allegations in said motions are frivolous and without merit

The Court further finds that the Defendant's application to proceed in forma pauperis, motion for appointment of counsel and motion for DNA testing should be overruled and denied.

IT IS SO ORDERED.

DATED this 30th day of September, 2022.

BY THE COURT:


J. MICHAEL COFFEY
DISTRICT COURT JUDGE

For 1999 - 2024
I never had a lawyer

R.S.

AM I LUCKY?
OR
AM I CURSED?

1) In Okinawa, Japan, I came across tons of dope being smuggled inside of soldier's caskets. Being shipped from North Viet Nam to Okinawa, to America.

Which ended up being the largest drug bust in Okinawa history.

Now!

2) I've stumbled - across the largest (multi-billion dollar) crime conspiracy in America's history.

Does this mean I'm a natural "Cartel Killer"?

3) But this time I'll get my 15% "WHISTLE-BLOWER" fee!

* Sorry about the "Play Boy" channel; on the prison computer, I need a "triple-blind" to throw the crooks off! Sorry!

I can not talk to any legal agency here in the central part of America. All these suckers are dirty. County, State, and Federal judges... Shit!! They seem to have gone crazy with the "Big Dokers"

Was I a sucker to have taken my OATH serious? You know to protect America from the foreign and domestic enemy?

I guess my family has BUFFALO SOLDIR in the BLOOD?

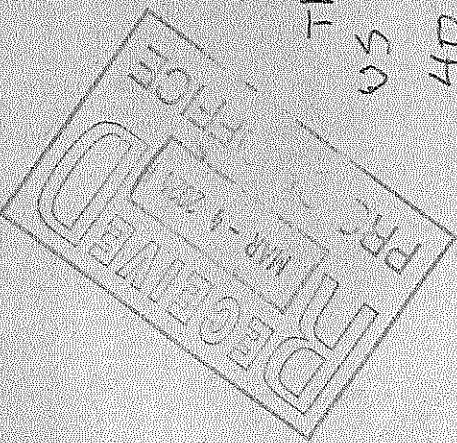
GOD BLESS YOU GUYS

- 1) Date on Rape Kit Test and Results prove that Douglas County Judge (Coffey) knew I was innocent when he sent Omaha police to "Kidnap" me from Iowa; without a "Governor's Warrant, from a Federal Facility (V.A. Hosp.).
- 2) Date on Rape Kit Test and Results prove that both Judge Coffey and prosecutor knew I was innocent when they both lied and said the Rape Kits results had found me guilty.
- 3) I was subjected to more pain and suffering in two (2) prison riots in Tecumseh Super Max prison than I was in Viet Nam Era in the Army. Now I live with results from a stroke and lost of hearing and balance.
- 4) In prison riots; only men with rape charges were killed, And burned alive. Nobody got charged for their murders.

Clive E. Haage, Sr #62555
587-60-4662

OCC 52C ID-L
P.O. Box 11099
Omaha, NE 68111-0099

WEX



WEX

Thurgood Marshall
US Federal Courthouse
40 Foley Square # 104
New York, NY 10007

RECEIVED
U.S. MAIL

Notice:
This Correspondence was mailed by an inmate
Confined in an Institution operated by the
Nebraska Department of Corrections. Services
Its contents are uncensored